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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/480,837	01/10/2000	STEPHAN GEHRING	INT-99-009	4824

7590 04/16/2003

MICHAEL A KERR  
SIERRA PATENT GROUP LTD  
P O BOX 6149  
STATELINE, NV 89449

EXAMINER

SHAH, CHIRAG G

ART UNIT	PAPER NUMBER
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2664

DATE MAILED: 04/16/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/480,837

Applicant(s)

GEHRING ET AL.

Examiner

Chirag G Shah

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 10 January 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 5. 6) ☐ Other:

## DETAILED ACTION

### *Claim Rejections - 35 USC § 101*

1. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claim1 rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Setting the environment is not positively claimed limitation.

### *Claim Rejections - 35 USC § 103*

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-16 rejected under 35 U.S.C. 103(a) as being unpatentable over Hodzic (U.S. Patent No. 6,097,707) in view of Hulyalkar (U.S. Patent No. 6,347,084).

Referring to claims 1, 9, and 14, Hodzic discloses in section 2 of media access control protocol for an adaptive TDMA process or cycle. The cycle of typical scheduling for MAC is illustrated in figure 2 and respective portions of the specification. Furthermore, as disclosed in column 8, the data field of the HDLC frame is used to carry the relevant information for the respective MAC layer frame. The Data frame as described in column 8 and 9 include variable length data packet field, variable size slots, control (command) section, ack. slot, start of frame

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slot (bit 1 used for reservation or request) and synchronization slot. Hodzic also teaches in figures 1 and 4 of a single Central Control Unit (CCU-master device 12) and plurality of remote or terminal units (TUS-slaves 14). Hodzic further teaches in column 5 of a method for scheduling the assignment of variable length data slots in a network system by disclosing that the number of down-link time slots is managed by the central unit according to of the number of remote units for whom the central unit has information to be transmitted, and the size of a down-link slot for a remote unit is similarly managed according to the payload scheduled by the central unit for the remote unit. Hodzic further supports in the above-disclosed sections of determining a schedule time to communicate the assignment and allocation and reallocation of variable length data slots to each of terminal (slave devices). Hodzic fail to disclose of a TDMA frame including a timestamp slot. Hulyalkar teaches a method of timestamp synchronization that includes a control node (master device) and a plurality of other nodes (slave devices) that communication with one another mediated by a MAC subsystem that uses a reservation-based TDMA protocol. Hulyalkar discloses in claims 1-3 and respective portion of the specification include a control node sending a preset command to slave nodes and it presets their respective timestamp to the prescribed timestamp value. Thus, having a timeslot within a TDMA frame. Therefore, it would have been obvious to incorporate the teachings of Hulyalkar into Hodzic's invention in order to reduce the delay and increase transmission efficiency of a network.

Referring to claims 2-4 and 13, Hodzic discloses in column 3 lines 40 to column 4 lines 27, and 5 lines 59-67 that the MAC layer protocol as recited is configured to implement dynamic requisition, allocation and allocation of variable length data slots with as claims.

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Referring to claims 5, 12, 15 and 16, Hodzic discloses in column 2 lines 59 column 3 lines 55 and claim 1 and respective portions of the specification that the MAC layer as recited wherein master device and slave device are further configured to coordinate a scheduled switch from a first set of data slot parameter to second set of data slot parameters as claims.

Referring to claim 8, Hodzic discloses in columns 8 lines 42 to column 9 lines 24 that the MAC layer protocol as recited, wherein variable length data slots of frame have a granularity of one bit as claim.

Referring to claims 6, 7, and 10-12, Hodzic discloses in column 6 lines 45-55 that the Medium Access Control layer employs an adaptive TDMA process or cycle. Hodzic however fails to teach that that MAC layer includes a timestamp slot further comprising a bit-field, which is incremented by a master timestamp counter and that each of the slave devices is configured to maintain a local copy of master timestamp counter. Hodzic also fails to teach that each slave device is structured to coordinate a schedule switch from a first set of data slot parameters to a second set of data slot parameters. Hulyalkar discloses in claims 7 and 11 and respective portions of the specification of comparing timestamp counter value in each nodes (slave), thus each of the slave devices is configured to maintain a copy of the master counter as further depicted in claim 12. Hulyalkar also disclose a timestamp register and counter that includes a bit-field for incrementing. Hulyalkar further discloses in the above disclosed sections that includes comparator that compares the timestamp values stored and coordinates switch from a first set of data slot to a second set of data slot at different times. Therefore, it would have been obvious to one of ordinary skill in the art to modify the teachings of Hodzic to include the

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teachings of Hulyalkar in order to precisely determine timing for the entire system and execute transmission with minimal delay or packet loss.

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

**Or faxed to:**

(703) 305-3988, (for formal communications intended for entry)

**Or:**

(703) 305-3988 (for informal or draft communications, please label "Proposed" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2021 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chirag G Shah whose telephone number is 703-305-5639. The examiner can normally be reached on M-F 7:30 to 4.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wellington Chin can be reached on 301-305-4366. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

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April 14, 2003

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